

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD JONATHAN HART,

Petitioner,

File no: 1:07-CV-476

v.

HON. ROBERT HOLMES BELL

MARY BERGHUIS,

Respondent.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that Petitioner's habeas corpus petition is hereby **SUMMARILY DISMISSED** pursuant to Rule 4 because it fails to state a claim.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

Date: July 24, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE